

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA
Plaintiff

v.

JOSE VALENTIN-FABREGAS (17)
Defendant

Criminal No. 05-228 (ADC)

ORDER

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Gustavo Gelpí on June 27, 2006. (**Docket No. 433.**) In said Report and Recommendation the Magistrate-Judge recommends that: defendant **José Valentín-Fábregas** be adjudged guilty of the offenses charged in Count I (21 U.S.C. § 846) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the gistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count I of the indictment in the above-captioned case.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report on June 27, 2006. **The sentencing hearing is set for October 3, 2006 at 2:30 p.m.**

SO ORDERED.

At San Juan, Puerto Rico, this 4th day of August, 2006.

S/AIDA M. DELGADO-COLON
United States District Judge